

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. : 9909
Appln. No. : 10/724,453
Applicant : James C. Peacock III
Filed : 11/28/2003
TC/A.U. : 3734
Examiner : Katherine Marie Dowe
Docket No. : 1953233-00007
Customer No. : 48,423
Title : Medical Devices With Porous Surface Containing
Bioerodable Bioactive Composites And Related Methods

AMENDMENT AND REMARKS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the following "Amendment and Remarks" in response to the Final Office Action dated December 10, 2007 and subsequent Detailed Action dated February 26, 2008 in the above referenced patent application.

This response follows a "Petition to Withdraw Finality of Office Action" filed by Applicant on March 13, 2008, for which no communication or disposition has been received or indicated in the record despite a subsequent "Status Inquiry" Applicant also submitted May 6, 2008 (also without response from the Patent Office). A timely disposition of Applicant's outstanding Petition not having been received, a "Notice of Appeal" was then filed by Applicant on June 10, 2008.

Applicant submits this response together with a "Request for Continued Examination" pursuant to 37 CFR 1.114, and requisite fee set forth in 27 CFR 1.17(e), and a request for a five (5) month extension of time under 37 CFR 1.136.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.